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Cc: Rothery, Deirdre[Rothery.Deirdre@epa.gov]
From: Morales, Monica
Sent: Tue 9/15/2015 2:20:56 PM
Subject: FW: HQ support items for U&O FIP

Carl – Please see Chris’ email below concerning the support we need from OAQPS for the Uinta FIP, which we can use to tee up the discussion with Greg and Chris tomorrow.

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In preparation for EPA’s planned FIP in the U&O basin, the team has highlighted several work items that will require significant OAQPS support. Requirements related to the rule’s cost (items 1 and 3) will have varying levels of effort depending on the details, and cost of controls of the rule. Note that we have already received staff-level commitments from OAQPS to support many of these items. However, it would be practical to elevate these support requests to OAQPS management to ensure their ongoing assistance during the rulemaking process. The items flagged as requiring significant HQ support are:

1) Should the costs or benefits exceed \$100 million per year, we will be required to complete a regulatory impact analysis (RIA). Region 8 does not have the expertise to complete this document in-house. An RIA will require significant support from economic and policy staff in OAQPS. Additionally, contracting dollars may be necessary – the Tribal NSR RIA was

completed by a consultant to EPA.

- 2) The FIP will require an information collection request (ICR) to be completed. This is an 6-9 month process and requires support from OAQPS and OEI.
- 3) The FIP will require an analysis to comply with the Small Business Regulatory Enforcement Act (RFA). Region 8 will require assistance from OAQPS in drafting this analysis and support for a no-significance finding to small entities. If the cost to small entities is considered significant, Region 8 will need HQ assistance in conducting a Small Business Advocacy Review Panel.
- 4) During the development of the proposed and final rulemaking, OAQPS will need to provide expeditious document review – from both technical and policy staff.
- 5) After the comment period ends, Region 8 will require assistance in responding to comments.
- 6) Region 8 may need policy support from OAQPS and OGC concerning EPA's authority to Promulgate a FIP in Indian Country

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